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6 **UNITED STATES DISTRICT COURT**
7 **WESTERN DISTRICT OF WASHINGTON**
8 **AT TACOMA**

9 DANIEL JAY PEREZ,

10 Plaintiff,

11 v.

12 DICK MORGAN, et al.,

13 Defendants.

NO. 3:16-cv-6023 RBL-TLF

ORDER GRANTING
DEFENDANT MORGAN'S
MOTION FOR PROTECTIVE
ORDER

14 Defendant Dick Morgan moves the Court for a protective order relieving him of the
15 obligation of responding to discovery pending the outcome of his motion to dismiss. Dkt. 63.

16 **DISCUSSION**

17 The court has broad discretionary powers to control discovery. *Little v. City of Seattle*,
18 863 F.2d 681, 685 (9th Cir. 1988). Upon showing of good cause, the court may deny or limit
19 discovery. Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while
20 a dispositive motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922, 926 (9th Cir. 1989). Under
21 a separate Report and Recommendation, the undersigned is recommending that defendant
22 Morgan's motion to dismiss be granted. Plaintiff is not opposed to dismissing his claims
23 against Mr. Morgan because Mr. Morgan was named only due to his role as the Secretary of
24 the Department of Corrections ("DOC") and Mr. Morgan is no longer the DOC secretary. Dkt.
25 74.
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1 Accordingly, it is **ORDERED**:

2 1. Defendant Morgan's motion for protective order (Dkt. 63) is **GRANTED**.

3 2. The Clerk is directed to send copies of this Order to plaintiff and counsel for
4 defendants.

5 DATED this 11th day of August, 2017.

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8 Theresa L. Fricke
9 United States Magistrate Judge